

ORAL ARGUMENT NOT YET SCHEDULED

**IN THE UNITED STATES COURT OF APPEALS
FOR THE D.C. CIRCUIT**

Ruby Freeman, Wandrea' Moss,

Plaintiffs-Appellees,

v.

No. 24-7021

Rudolph W. Giuliani,

Defendant-Appellant.

JOINT MOTION TO EXPEDITE BRIEFING AND ORAL ARGUMENT

Pursuant to Federal Rules of Appellate Procedure 2, and 27, and Circuit Rule 27, the parties jointly move to expedite briefing, argument, and decision of this appeal.

This case arises from a final judgment entered December 18, 2023. From December 21, 2023, to August 2, 2024, this appeal was stayed by Appellant's filing of a voluntary chapter 11 petition in the United States Bankruptcy Court for the Southern District of New York. *See In re Rudolph W. Giuliani*, No. 23-12055-SHL (Bankr. S.D.N.Y. Dec. 21, 2023). The Bankruptcy Court dismissed Appellant's chapter 11 case on August 2, 2024, imposing a one-year bar on future voluntary bankruptcy filings by Appellant. *See Order, In re Rudolph W. Giuliani*, No. 23-

12055-SHL (Bankr. S.D.N.Y. Aug. 2, 2024), ECF No. 309. The stay is no longer in place and this appeal can now move forward.

Good cause exists to expedite briefing and argument of this appeal because the one-year filing bar heightens the need for resolution of this appeal as soon as practicable. To that end, the parties have conferred and agreed on a briefing schedule and respectfully request that the Court enter a scheduling order as follows:

Appellant's Deadlines:

Certificates as to Parties, Rulings, and Related Cases	August 15, 2024
Docketing Statement Form	August 15, 2024
Entry of Appearance Form	August 15, 2024
Statement of Issues to be Raised	August 15, 2024
Transcript Status Report	August 15, 2024
Underlying Decision from which Appeal or Petition Arises	August 15, 2024
Procedural Motions, if any	September 12, 2024

Appellees' Deadlines:

Certificates as to Parties, Rulings, and Related Cases	August 15, 2024
Entry of Appearance Form	August 15, 2024
Procedural Motions, if any	September 12, 2024

Briefing Schedule:

Appendix	October 2, 2024
Appellant's Brief:	October 2, 2024
Appellees' Brief:	November 4, 2024
Reply Brief:	November 25, 2024

Further, the parties respectfully request that oral argument be scheduled for the earliest possible date following the completion of briefing. To that end, and to the extent that it would yield an earlier argument date, the parties stipulate that they do not object to inclusion in the Court's stand-by pool for oral argument and that they will not file any dispositive motions. *See* Part X.E.4, D.C. Circuit Handbook of Practice & Internal Procedures (as amended through March 16, 2021). In any event, the parties respectfully request that an oral argument date be scheduled for as soon as is practicable after November 25, 2024, in order to facilitate the prompt decision of this appeal.

Respectfully submitted,

s/ Michael J. Gottlieb

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August 8, 2024

CERTIFICATE AS TO PARTIES

Pursuant to Circuit Rule 27(a)(4) and Circuit Rule 28(a)(1)(A), the undersigned certifies that there are no intervenors or amici in this Court and that the parties in this Court are Appellant Rudolph W. Giuliani and Appellees Ruby Freeman and Wandrea' Moss. The undersigned further states that there were no intervenors or amici in the District Court and that, in addition to the foregoing, the following were parties in the District Court:

Herring Networks, Inc., d/b/a One America News Network

Charles Herring

Robert Herring

Chanel Rion

The undersigned further states that the following were not parties in the District Court, but appeared as petitioners or respondents in relation to third-party discovery proceedings:

Office of the Secretary of State for the State of Georgia

Bernard Kerik

CERTIFICATE OF COMPLIANCE

I certify that the foregoing motion complies with the typeface and style requirements of Federal Rule of Appellate Procedure 27(d)(1)(E), and the word limit of Federal Rule of Appellate Procedure 27(d)(2)(A), because the motion was prepared in double-spaced, 14-point Times New Roman font, and contains 414 words as determined by the word-count function of Microsoft Word.

s/ Michael J. Gottlieb

CERTIFICATE OF SERVICE

I certify that the foregoing motion was served on all parties through the Court's CM/ECF system.

s/ Michael J. Gottlieb